

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JONATHAN JUNG,

Plaintiff,

- against -

SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM, LLP and SUSAN DORNFELD,

Defendants.

**DECLARATION OF DAVID E. SCHWARTZ, ESQ.  
SUBMITTED IN SUPPORT OF DEFENDANTS' MOTION  
TO DISMISS THE FIRST, THIRD, FOURTH AND SIXTH  
CAUSES OF ACTION IN PLAINTIFF'S COMPLAINT**

David E. Schwartz, an attorney duly admitted to practice law before this Court, hereby declares under penalty of perjury:

1. I am an attorney admitted to practice in the State of New York and Counsel with the firm of Skadden, Arps, Slate, Meagher & Flom LLP, attorneys for Skadden, Arps, Slate, Meagher & Flom LLP and Susan Dornfeld ("Defendants") in the above captioned matter. I am fully familiar with the facts set forth herein. This declaration is submitted in support of Defendants' motion to dismiss the First, Third, Fourth and Sixth Causes of Action in the Complaint of plaintiff Jonathan Jung ("Mr. Jung").

2. Attached hereto as exhibits are true and correct copies of the following documents which are referred to in the Memorandum of Law in Support of Defendants' Motion to Dismiss the First, Third, Fourth and Sixth Causes of Action in Plaintiff's Complaint:

<u>Exhibit</u>	<u>Document</u>
A	Complaint of Mr. Jung filed with the Court on April 29, 2005
B	Charge of Discrimination filed by Mr. Jung with the Equal Employment Opportunity Commission ("EEOC")
C	Dismissal and Notice of Rights issued to Mr. Jung by the EEOC

/s/ David E. Schwartz  
David E. Schwartz